

**Annual Meeting of Water District 34, held March 3, 2003 at
Middle School Auditorium Arco, Idaho.**

Chairman Seth Beal called the Meeting to order at 2:15.

Alvin Crawford was elected secretary. The Minutes of the 2002 meeting were read and Approved on a motion made by Harvey Walker seconded by Larman Anderson.

The minutes of the Advisory Board were read and approved on a motion by Harvey Walker and seconded by Bruce Gutschmidt.

The snow survey showed 94% of normal water content on the snowtel sites.

There was no recharge due to the drought conditions.

The Watermaster Report showed 90,916 CFS water delivered in 2002 of which 47,974 CFS was Surface water and 42,922 CFS was ground water. The 2B gauge showed 78 CFS and the Dam was 41% full. There was no water at the Arco gauge.

Tim Luke from the IDWR was recognized.

Willard Bell moved that all votes be by Iman 1 vote, seconded by Steve King. Mitchell Sorenson moved to amend the motion that all resolutions be voted on by Iman 1 vote and Watermaster be voted on by Dollar amounts. Harvey Walker seconded the amendment. The amendment to the motion passed and the motion as amended passed.

A budget in the amount of \$86,800 with a carryover of \$18,144 for a calculated amount of \$68,656 was presented. This included \$1000 to recharge and \$2500 to cloud seeding. This passed no motion made by Harvey Walker and seconded by Bruce Gutschmidt.

There were no nominations for the credentials committee so the same committee was retained.

Alvin Crawford was nominated for the Advisory Board and was retained on the Board.

Resolutions adopted were:

1 - The date for payment of water taxes shall be April 15, 2003. All taxes not paid on that date should be assessed 10% per annum interest on the total amount due. Juel Aikele moved to accept this resolution seconded by Bruce Gutschmidt and passed.

2 - In the event of non-use, a tax in the amount of \$35 may be assessed for administration expense. Motion to approve by Laura Waddoups seconded by Bruce Gutschmidt and passed.

3 - Per Idaho Code 42-608, The Watermasters term of service may, by resolution, provide that the Watermaster shall serve throughout the year. Motion to approve by Lloyd Smith seconded by Bruce Gutschmidt and passed.

4 - No water shall be delivered until all water taxes due are paid. Motion to approve by Harvey Walker and seconded by Bruce Gutschmidt and passed.

The following resolutions were considered:

2003 - 01 Administration pursuant to partial decrees -

WHEREAS, there is a partial decree in which the court has identified the water rights in the Big Lost River Basin in Idaho, and,

WHEREAS, the court has authorized interim administration and distribution of water in Water District 34 pursuant to the partial decree, and,

WHEREAS, the rights described in the partial decree identify all of the elements of each water right including point of diversion, priority date, place of use, diversion rate and annual volume, and,

WHEREAS, IDWR has issued some valid permits and water right licenses subsequent to the commencement of the Snake River Basin Adjudication (SRBA) that were not required to be claimed in the SRBA;

NOW THEREFORE BE IT RESOLVED by the Water Users of Water District 34 that the Watermaster be charged with distributing water in Water District 34 pursuant to the elements set forth by the court in the partial decree, and valid water right licenses and permits issued by IDWR.

Harvey Walker moved this resolution be approved seconded by Joel Anderson and passed.

2003 - 02 Measuring device requirements

WHEREAS, there is a partial decree in which the court has identified the water right in the Big Lost River Basin in Idaho, and,

WHEREAS, the court has authorized interim administration and distribution of water in Water District 34 pursuant to the partial decree, and,

WHEREAS, the rights described in the partial decree identify all of the elements of each water right including point of diversion, priority date, diversion rate and annual volume, and;

WHEREAS, proper distribution of water in State Water District 34 requires the watermaster to regulate the rate at which water is diverted from the source.

NOW THEREFORE BE IT RESOLVED by the Water Users of Water District 34 that each point of diversion shall be equipped with an adequate means for the water master to control and regulate the rate at which water is diverted.

BE IT FURTHER RESOLVED that each diversion should be equipped with a measuring device of a type approved by the Idaho Department of Water Resources.

BE IT FURTHER RESOLVED that the watermaster shall not deliver water to or allow water to be diverted at any diversion that is not equipped with an adequate control works and a measuring device.

Bruce Gutschmidt moved this resolution be approved seconded by Madhivi Bradford and passed.

2203 - 03 Training Requested

WHEREAS, the Watermaster has the statutory responsibility to distribute water pursuant to the rights described in the partial decree for the Big Lost River Basin, and;

WHEREAS, the Watermaster works under the authority of the Director of the Department of Water Resources and receives his authority through his appointment by the director, and;

WHEREAS, there is a need for the Watermaster and all those hired to distribute and deliver water to receive training by the Idaho Department of Water Resources.

NOW THEREFORE BE IT RESOLVED by the Water Users of Water District 34 meeting in regular annual session this 3rd day of March 2003, that the Department of Water Resources be requested to provide training for the Watermaster, deputies, ditch riders and others involved in the work of distribution water within Water District 34 prior to the start of the 2003 irrigation season.

BE IT FURTHER RESOLVED that in all personnel involved in water distribution, including the Watermaster and his deputies, shall be required to attend an IDWR sanctioned training session as a condition of employment.

Tim Luke indicated there would be no cost for training by the IDWR and that the Watermaster could train the deputies.

Bruce Gutschmidt moved to accept this resolution seconded by Joel Anderson and passed.

2003 - 04 Diversion Measurements

WHEREAS, it is the responsibility of the Watermaster to distribute water pursuant to the rights described in the partial decree for the Big Lost River Basin, and;

WHEREAS, the required Watermaster's report can only be prepared when records of diversions have been accumulated through the irrigation season, and;

NOW THEREFORE BE IT RESOLVED by the Water Users of Water District 34 meeting in regular annual session this 3rd day of March, 2003 that the Watermaster is hereby instructed to establish a process for the recording and collection of daily diversion data for every diversion in the Water District.

BE IT FURTHER RESOLVED that in addition to the Watermaster's report required by Idaho Code 42-606 the data collected each week shall be transmitted to the Idaho Department of Water Resources via the internet.

Shawn Donahue moved not to accept the resolution. Harvey Walker said a vote would show this - either accept or reject. Juel Aikele moved to amend the resolution to indicate ground water diversions be on an annual account - seconded by Shawn Donahue. The Amendment failed to pass. The resolution failed no vote of 35 for and 36 against.

2003 - 05 Watermaster Instructions

WHEREAS, there is a partial decree in which the court has identified the water rights in the Big Lost River Basin in Idaho, and;

WHEREAS, the court has authorized interim administration and distribution of water in Water District 34 pursuant to the partial decree, and;

WHEREAS, the rights described in the partial decree identify all of the elements of each water right including point of diversion, priority date, diversion rate and annual volume, and;

WHEREAS, the priority system only works and water rights can only be protected when rights are administered in a manner that consistently recognizes relative entitlements water users have.

NOW THEREFORE BE IT RESOLVED by the Water Users of Water District 34 that the Watermaster of Water District 34 shall distribute water in a manner that assures that no user is diverting water at a rate in excess of that set by the watermaster or specified in the partial decree, unless the additional amount is being provided from storage available to that water user from the Mackay Reservoir.

BE IT FURTHER RESOLVED that the watermaster is hereby instructed to request the issuance of a Notice of Violation by the Idaho Department of Water Resources pursuant to Idaho Code 42-1701(B) should he find any water user to be intentionally violating this resolution.

Harvey Walker moved to accept this resolution seconded by Joel Anderson and passed.

Robert Duke and Keith Waddoups were nominated for Watermaster. Each was given time to tell some about themselves. Voting showed 30,288 for Robert Duke and 20,690 for Keith Waddoups.

Seth Beal was elected Chairman for next year.

A question was asked about repairs to the Dam. Todd Perkes indicated repairs need to be made but will not be made until after this irrigation season. Some rocks had fallen against the gates and were removed.

The meeting was adjourned.

Secretary
Alvin Crawford